PROFESSIONAL COURSES

[Mj. = Major course, four hours weekly for one quarter. M. = Minor course, four hours weekly for one term. DM. = Double Minor course, eight hours weekly for one term. Twelve hours a week is full work. Many of the courses continue through more than one quarter, and for these no partial credit will be given. Credit for the first part of a course is provisional until its completion.]

FIRST-YEAR COURSES

[The work of the first year is required.]

1. Contracts.—Mutual assent and its communication; offers and their expiration or revocation; consideration; requisites of contracts under seal; rights of beneficiaries and assignees; joint and several contracts; alternative contracts; conditional contracts; illegality; impossibility; duress; discharge of contracts or causes of action arising thereupon by rescission, novation, accord and satisfaction, release or other means. Williston, Cases on Contracts, Vols. I and II. 2Mj. Autumn, Professor Whittier; and Winter, Professor Cook. (Two sections in Autumn.)

1A. Contracts.—First half of course 1. DM. Summer, First Term, Professor McGovney.

2. Torts.—Trespass to person and to property; excuses for trespass; conversion; negligence; legal duties; statutory torts; legal cause; contributory and imputed negligence; contributory illegality; possessory duties; acting at peril; liability for animals; deceit; defamation: slander, libel, privilege, malice; right of privacy; malicious prosecution; interference with social and business relations: inducing breaches of duty, fair and unfair competition, strikes, boycotts, business combinations. Ames and Smith, Cases on Torts (ed. of 1909–10), Vols. I and II. 13 moisture. Autumn; Winter, First Term (five hours); and Second Term (two hours), Professor Hall. (Two sections in Autumn.)

3. Property.—Distinction between real and personal property. Real property: tenures; estates; seisin and conveyance; statute of uses; profits; natural rights; easements; covenants as to use of lands; rents; landlord and tenant; emblements; manure; fixtures. Personal property: acquisition of rights; gift; bailment; lien; pledge. Gray, Cases on Property (2d ed.), Vols. I and II. 13 moisture. Autumn (five hours); and Winter, First Term, Professor Bigelow. (Two sections in Autumn.)

4. Agency.—Nature of relation; appointment; liabilities of principal: torts, contracts, crimes, admissions; liabilities of agent; parties to writings; undisclosed principal; obligations between principal and agent; delegation of agency; termination of agency; ratification. Wambaugh, Cases on Agency. 14 moisture. Winter, Second Term; and Spring, Professor Mechem.

60. Criminal Law.—The criminal act; criminal attempts; consent; criminal intent, specific and constructive; circumstances affecting intent; justification; parties in crime: agency, joint principals, accessories; jurisdiction over crimes; crimes against the person, especially murder and manslaughter; larceny and kindred offenses. Beale, Cases on Criminal Law (2d ed.). DM. Summer, Second Term. 14 moisture. Winter, Second Term (two hours); and Spring, Professor Cook.

80. Common Law Pleading.—Forms of action, including their scope, necessary allegations, and methods of pleading defenses; demurrers for defects in form, dilatory defects, and defects in substance; defaults; pleas; dilatory, to capacity, and in bar by way of traverse or confession and avoidance; cross

**SECOND- AND THIRD-YEAR COURSES**

[These courses are elective, and need not be taken in any fixed order. Students are advised to postpone starred (*) courses to the third year. The practice courses are required.]

7. Persons.—Infancy: period of infancy; voidable acts, disaffirmance, ratification; contracts for necessaries; obligations created or authorized by law; liability for tort; guardian and ward. Marriage: promise to marry; right of husband and wife in each other's property; status of married women; transactions between husband and wife; torts affecting marital relations; separation; divorce. Parent and child: custody; services and earnings; torts to children; torts by children; adoption; bastardy. Kales and Vernier, *Cases on Persons*. Mj. Spring, Professor Hinton.

[Omitted in 1913–14 and in alternate years thereafter.]

14. Title to Real Estate.—Essentials of a deed; signing, sealing, delivery; priority, notice, and record; leases; covenants for title; estoppel; the property conveyed; original acquisition; acquisition by lapse of time. Gray, *Cases on Property* (2d ed.), Vol. III, and pamphlet of selected cases. Mj. Summer, Professor Freund. Mj. Spring, Professor Bigelow.

15. Wills and Administration.—Intestate succession; dispositions in contemplation of death; testamentary capacity; execution, alteration, revocation, and revival of wills; probate; executors and administrators; survival of rights and liabilities; priority of claims; assets; payment of legacies and distribution, ademption and lapse of legacies. Costigan, *Cases on Wills*. Mj. Summer. Mj. Winter, Professor Freund.


19. Mining and Irrigation.—Mining: location of lode claims; preservation and loss of location; relocation; tunnel claims; placer claims; extra-lateral rights; cross veins and veins uniting on the dip; proceedings to obtain patent. Irrigation and Water Rights: water rights at common law; other systems of law as to use of water; the doctrine of appropriation; basis and nature of right acquired; requisites of appropriation; priorities; transfer and extinguishment of water rights. Selected cases. DM. Summer, Second Term, Professor Pound.

[Omitted in 1913–14 and in alternate years thereafter.]


22. Equity III (including Quasi Contracts).—Interpleader; bills of peace; bills quia timet: cancellation of contracts, cloud on title, perpetuation of testimony, rights of future enjoyment. Reformation and rescission of contracts. restitution, at law (quasi contracts) and in equity: mistake; fraud, misrepresentation, concealment; duress and undue influence; illegality; benefits received without contract; benefits received under contract unperformed on account of impossibility, illegality, statute of frauds, or inexcusable default. Ames, Cases in Equity Jurisdiction, Vol. II; Keener, Cases on Equity Jurisdiction, Vol. III (part); and Woodruff, Cases on Quasi Contracts. 1*MJ. Winter, Second Term; and Spring, Professor Cook. [The Spring work may be taken separately.]

24. Trusts.—Nature and requisites of a trust; express, resulting, and constructive trusts; charitable trusts; appointment and office of trustee; nature of cestui’s interest; transfer of trust property by trustee or by cestui; cestui’s interest as affected by death, marriage, or bankruptcy of trustee or cestui; duties of trustee; extinguishment of trust; removal or resignation of trustee; accounting. Ames, Cases on Trusts (2d ed.). 1*MJ. Summer (six hours), Assistant Professor Scott. Autumn; and Winter, First Term, Professor Cook.

30. Suretyship.—Kinds of suretyship; statute of frauds; surety’s defenses due to original defects in his obligation or its subsequent discharge; surety’s right to subrogation, indemnity, contribution, or exoneration; creditor’s right to surety’s securities. Ames, Cases on Suretyship. 4MJ. Spring (three hours), Professor Whittier.

[Omitted in 1913-14 and in alternate years thereafter.]

31. Mortgages.—Essential elements of legal and equitable mortgages; rights of mortgagor and mortgagee at law and in equity: title, possession, dower, curtesy, waste, priorities, collateral agreements, foreclosure, redemption; extension, assignment, and discharge of mortgages. Kirchway, Cases on Mortgage. DM. Summer, Second Term, Professor Cook. 4MJ. Spring (three hours), Professor Whittier.

[Given in 1913-14 and in alternate years thereafter.]

40. Sales.—Subject-matter of sale; executory and executed sales; bills of lading and jus disponendi; stoppage in transitu; fraud; factors’ acts; warranty and remedies for breach of warranty; statute of frauds. Williston, Cases on Sales (2d ed.). 1*MJ. Winter, Second Term; and Spring, Professor Mechem.

40A. Sales.—Course 40, omitting the statute of frauds. DM. Summer, Second Term, Professor Gilmore.

41. Bills and Notes.—Formal requisites; acceptance; indorsement; transfer; purchase for value without notice; overdue paper; extinguishment; obligations of parties; checks; diligence: presentment, dishonor, protest, notice, the Negotiable Instruments Law. Ames, Cases on Bills and Notes, Vols. I and II. 1*MJ. Winter, Second Term; and Spring, Professor Hall.

42. Public Service Companies and Carriers.—Nature of public employment; its rights and duties; railroads and canals; telegraph and telephone; light and water companies; irrigation and drainage; inns and warehouses. Common carriers of goods and persons; liability; limitation of liability; bills of lading; stoppage in transitu; connecting carriers; actions against carriers; tickets; baggage; compensation and lien. Wyman, Cases on Public Service Companies (2d ed.). 4MJ. Autumn (two hours); and Winter, First Term (two hours), Mr. Eckhart.

44. Insurance.—Fire, life, and accident insurance, with respect to: insurable interest; concealment; misrepresentation; warranties; other causes of invalidity
of contract; amount of recovery; subrogation; conditions; waiver, estoppel, election, and powers of agents; assignees and beneficiaries. Wambaugh, *Cases on Insurance*. 2Mj. Winter (three hours), Professor Bigelow.

50. Partnership.—Nature of a partnership, its purposes, and members; creation of partnership; nature of partner's interest; firm name and good-will; mutual rights and duties of partners; actions between partners, at law and in equity; powers of partners; liability of partners; dissolution; notice; consequences of dissolution; debts; distribution of assets; limited partnerships. Mechem, *Cases on Partnership* (3d ed.). 1½Mj. Autumn; and Winter, First Term (two hours), Professor Mechem.

*51. Private Corporations.—Nature of a corporation and relation to its stockholders; its creation; stock subscriptions; promoters; interpretation of charters; formalities of contracts; powers and duties of directors; rights of stockholders; dividends; transfer of stock; forfeiture of charters: corporate liability; *ultra vires* transactions; rights and remedies of creditors; preferences; stockholders' liability; intercorporate relations; purchase by a corporation of its own stock; dissolution; receiverships; foreign corporations; limits of legislative control. Richards, *Cases on Corporations*. 1½Mj. Autumn; and Winter, First Term, Professor Mechem.

52. Bankruptcy.—Jurisdiction of the United States and the states; who may be a bankrupt; who may be petitioning creditors; acts of bankruptcy; what property passes to the trustee; provable claims; protection, exemption, and discharge. Williston, *Cases on Bankruptcy*. 2Mj. Autumn (three hours), Mr. McCaskill.

63. Constitutional Law I.¹—Judicial power to declare statutes unconstitutional: origin of doctrine, limitations upon exercise of power, separation of departments of government, advisory opinions; making and changing constitutions; general scope of fundamental guaranties; slavery; due process and equal protection of law: procedure, police power, taxation, eminent domain; *ex post facto* and retroactive laws. Hall, *Cases on Constitutional Law*. Mj. Winter, Professor Hall.

*54. Constitutional Law II.¹—Federal legislative and judicial jurisdiction; implied powers and prohibitions; delegation of powers; citizenship; suffrage; privileges and immunities of citizens; effect of later amendments; federal taxation; laws impairing obligations of contracts: regulation of commerce; money; war. Hall, *Cases on Constitutional Law*. [Course 63 is not a prerequisite.] Mj. Spring, Professor Hall.

65. Municipal Corporations.¹—General nature; corporate capacity; self-government: creation, annexation, division, dissolution, succession; mode of action, ratification, and curative acts; estoppel by recitals; municipal police power; local improvements and services, including special assessments; municipal property, especially public streets; municipal contracts; expenditures and donations; indebtedness and its constitutional limit; liability. [Casebook to be announced.] Mj. Winter, Professor Hinton.

67. Administrative Law and Officers.¹—Administrative power and action, discretion: form and proof of official acts; notice; hearing and evidence; execution. Relief against administrative action: action to recover damages; specific relief (extraordinary legal remedies); jurisdiction, conclusiveness, and judicial control. Freund, *Cases on Administrative Law*. Mj. Winter, Professor Freund.

[Given in 1913-14 and in alternate years thereafter.]

¹ Not credited toward a law degree if taken before courses 1, 2, and 3.
70. Conflict of Laws.—(1) Jurisdiction: sources of law and comity; territorial jurisdiction; jurisdiction in rem and in personam; (2) remedies, rights of action and procedure; (3) creation of rights: personal rights; rights of property; inheritance; obligations ex delicto and ex contractu; (4) recognition and enforcement of rights: personal relations; property; inheritance; administration of estates; judgments; obligations. Beale, Cases on Conflict of Laws, Vols. I, II, and III. 14MJ. Winter, Second Term; and Spring, Professor Bigelow.

71. International Law.1—Mj. Winter, Professor Judson. [See Announcements of Department of Political Science.]

81. Code Pleading.—Actions and special proceedings; the complaint, including necessary allegations, method of statement, and prayer for relief; answers, including general and special denials, new matter, equitable defenses, counter claims, and union of defenses; replies; demurrers. Hinton, Cases on Code Pleading, and Ames, Cases on Pleading (ed. of 1905). [Course 80 (see p. 11) is a prerequisite.] 4MJ. Autumn (two hours), Professor Whittier.

82. Equity Pleading.—Bills in equity, including parties, general requisites, and multifariousness; disclaimer and default; demurrers; pleads; answers; replications; cross bills; amendments. Thompson, Cases on Equity Pleading and Practice. [Course 80 (see p. 11) is a prerequisite.] 4MJ. Spring (two hours), Professor Whittier.

83. Damages.—Exemplary, liquidated, nominal, direct, and consequential damages; avoidable consequences: counsel fees; certainty; compensation; physical and mental suffering; aggravation and mitigation: value; interest; special rules in certain actions of tort and contract. Mechem and Gilbert, Cases on Damages. MJ. Spring, Professor Hinton. [Given in 1913-14 and in alternate years thereafter.]

84. Evidence.—Nature of evidence; the jury; judicial notice; burden of proof; presumptions; admissions; law and fact; rules of exclusion: misleading or unimportant matters, character evidence, confessions, hearsay, with their exceptions; opinion evidence; real evidence; writings, including proof of execution and content, and the "parol evidence" rule; competency, privilege, and examination of witnesses. Thayer, Cases on Evidence (2d ed.). 14MJ. Autumn; Winter, First Term; and Second Term (two hours), Professor Hinton.

PRACTICE COURSES

90. Practice I.—Jurisdiction in personam and in rem; service and return of process; appearance; filing and settling pleadings; amendments; defaults, setting aside, and proceedings to final judgment; qualification and selection of jury; function of the court and jury; non-suits and directed verdicts; instructions or charge to the jury; verdicts; special interrogatories; trials without jury; motions for new trials; bills of exceptions; writs of error and statutory appeals. 4MJ. Winter, Second Term (two hours); and Spring (two hours), Professor Hinton. [Required of second-year students.]

*91. Practice II.—Practical exercises in commencement of actions; use of motions and demurrers; pleadings to issue and amendments; preparation for trial; trial of issues of fact, with and without jury; settling instructions; exceptions; return and entry of verdicts; motions for new trial and in arrest;

1 Not credited toward a law degree if taken before courses 1, 2, and 3.
entry of judgment; settling and allowance of bills of exceptions; writs of error; transcripts of the record; assignments and joinder in error; briefs and argument \[Mj. Autumn (three hours), Professor Hinton.\]

[Required of third-year students.]

LECTURE COURSES

[Non-credit courses.]

Copyright Law. Mr. Reed. Trademark Law. Mr. Reed.
Admiralty Law. Mr. Kremer. Legal Ethics. Mr. Freeman